IN THE UNITED STATES PATENT AND TRADEMAR OFFICE Reference to the Board of Patent Appeals and Interferences

In re Patent Application of

LOCARNINI et al

Serial No. 09/306,420

Filed: May 6, 1999

Title: VIRAL VARIANTS AND METHODS FOR

1 7 200

DETECTING SAME

Assistant Commissioner for Patents Washington, DC 20231

Atty. Dkt.: 2551-28 C# M#

Group Art Unit: 1648

Examiner: Mosher, M.

Date: June 17, 2002

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Sir: \boxtimes **NOTICE OF APPEAL** Applicant hereby appeals to the Board of Appeals from the decision dated December 17, 2001 of the Examiner twice/finally \$ 320.00 rejecting claims 32-41, 44, 45 and 47- (\$ 320.00) An appeal BRIEF is attached in triplicate in the pending appeal of the above-identified application (\$ 320.00) \$ 0.00 0.00 An **ORAL HEARING** is requested under Rule 194 (\$280.00) (due within two months after Examiner's Answer) -\$ (0.00)Credit for fees paid in prior appeal without decision on merits (no fee) A reply brief is attached in triplicate under Rule 193(b) Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$400.00/2 months; \$920.00/3 months; \$1440.00/4 months) 920.00 \$ \$ 1240.00 SUBTOTAL Applicant claims "Small entity" status, enter 1/2 of subtotal and subtract -\$(0.00)"Small entity" statement attached. **SUBTOTAL** \$ 1240.00 -\$(0.00)month extension previously paid on Less f TOTAL FEE ENCLOSED \$ 1240.00

Any fature submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any <u>deficiency</u>, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140.** A <u>duplicate</u> copy of this sheet is attached.

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BJS:

06/19/2002 AWONDAF1 00000042 09306420

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NIXON & VANDERHYE P.C.

By Atty.: B. J. Sadoff, Reg. No. 36,663

Signature: